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11 Attorneys for Plaintiffs

12  
13 **UNITED STATES DISTRICT COURT**

14 **DISTRICT OF NEVADA**

15 SHIGE TAKIGUCHI, FUMI NONAKA,  
16 MITSUAKI TAKITA, TATSURO SAKAI,  
17 SHIZUKO ISHIMORI, YUKO NAKAMURA,  
18 HIDEHITO MIURA, YOSHIKO TAZAKI,  
MASAAKI MORIYA, HATSUNE HATANO,  
and HIDENAO TAKAMA, Individually and On  
Behalf of All Others Similarity Situated,

19 Plaintiffs,

20 v.

21 MRI INTERNATIONAL, INC., EDWIN J.  
FUJINAGA, JUNZO SUZUKI, PAUL  
22 MUSASHI SUZUKI, LVT, INC., dba  
STERLING ESCROW, and DOES 1-500,

23 Defendants.  
24  
25  
26  
27  
28

Case No. 2:13-cv-01183-HDM-NJK

**ORDER GRANTING PLAINTIFFS'  
MOTION FOR AN AWARD OF  
ATTORNEYS' FEES IN  
CONNECTION WITH THE  
SETTLEMENT WITH SUZUKI  
DEFENDANTS**

1 WHEREAS, the Court granted final approval of the Settlement Agreement entered into by  
 2 Plaintiffs and: i) Junzo Suzuki; ii) Paul Musahi Suzuki; iii) Keiko Suzuki; iv) Suzuki Enterprises,  
 3 Inc. Profit Sharing Plan; v) Catherine Suzuki, Trustee of The Junzo Suzuki Irrevocable Trust; vi)  
 4 Catherine Suzuki, Trustee of The Keiko Suzuki Irrevocable Trust; vii) Catherine Suzuki, Trustee  
 5 of The Junzo Suzuki and Keiko Suzuki Irrevocable Trust; viii) Suzuki Enterprises, Inc.; ix)  
 6 Puuikena Investments LLP; x) Catherine Suzuki Irrevocable Trust Dated May 10, 2013; and xi)  
 7 Paul Musashi Suzuki Irrevocable Trust Dated May 10, 2013 (“collectively the Suzuki  
 8 Defendants”); and

9 WHEREAS, Class Counsel petitioned the Court for an award of attorneys’ fees in  
 10 compensation for the legal services they provided to Plaintiffs and the Class along with  
 11 reimbursement of expenses incurred in connection with the prosecution of this action to be paid  
 12 out of the Settlement Fund, as well as reimbursement for the Notice Administrator’s expenses; and

13 WHEREAS, the Court has reviewed the motion for an award of attorneys’ fees, and has  
 14 heard from Class Counsel during the final approval hearing on May 22, 2018, and due  
 15 consideration having been had thereon,

16 NOW, THEREFORE, it is hereby ordered:

- 17 1. Class Counsel is awarded attorneys’ fees of \$3,275,000 in this action.
- 18 2. Class Counsel shall be reimbursed from the Settlement Funds in the amount of  
 19 \$246,007.13 for the expenses and costs in prosecuting this action.
- 20 3. The Notice Administrator shall be reimbursed \$74,893.42 for expenses in  
 21 connection with mailing the notices and related administrative duties they have performed.
- 22 4. In making this award of attorneys’ fees and expenses to be paid from the  
 23 Settlement Fund, the Court considered and found that:
  - 24 a. The settlement with the Suzuki Defendants created a fund of approximately \$13.1  
 25 million and Class Members who file timely and valid claims will benefit from the settlement  
 26 reached by Class Counsel;
  - 27 b. Notice was disseminated to Class Members stating that Class Counsel would be  
 28

1 moving for attorneys' fees equal to 25% of the settlement, reimbursement of litigation expenses,  
2 and reimbursement Notice Administrator expenses;


3 c. The litigation of this action involved complex factual and legal issues and was  
4 actively prosecuted since its filing, and absent settlement, this action would have continued to  
5 involve complex factual and legal issues;

6 d. If Class Counsel had not achieved the settlement with the Suzuki Defendants, there  
7 was a risk of either a smaller or no recovery; and

8 e. The amount of attorneys' fees and expenses awarded from the settlement fund is  
9 fair and reasonable.

10  
11 **IT IS SO ORDERED.**

12  
13 Date: \_\_\_\_\_ May 22, 2018



HONORABLE HOWARD D. MCKIBBEN